PATENT COOPERATION TREATY

PCT

Translation

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applican	it's or ag	ent's file	reference							
B14340.3 PR				FOR FURTHER A	CTION	See Form PCT/IPEA/416				
International application No.				International filing da	te (day/month/year)	Priority date (day/month/year)				
PCT/FR2004/050277				17.06.200	4	20.06.2003				
Internation	onal Pate	ent Classi	fication (IPC) or na	_ tional classification and	IPC					
Applicant										
COMMISSARIAT A L'ENERGIE ATOMIQUE										
1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.									
2.	This R	EPORT c	onsists of a total of	5	sheets, including	this cover sheet.				
3.	This re	port is al:	so accompanied by	ANNEXES, comprising:						
	a. 🔀	(sen	to the applicant an	d to the International Bu	reau) a total of 10	sheets, as follows:				
	sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative									
			Instructions).							
	sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.									
	ь. Г] (san		l Ruragu anhy) a total of	(indicate type and number	r of electronic corrier(s))				
	D] (36%	no me maemanona	i Dureau oray) a total of	(marcare type and number					
	, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).									
4.	This re			ting to the following iter	ms:					
	\boxtimes	Box No	. I Basis of tl	ne report						
		Box No	. II Priority							
		Box No	. III Non-estab	lishment of opinion with	regard to novelty, invent	ive step and industrial applicability				
		Box No	. IV Lack of u	nity of invention						
	Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement									
	Box No. VI Certain documents cited									
	Box No. VII Certain defects in the international application									
<u></u>	Box No. VIII Certain observations on the international application									
Date of submission of the demand				Date of completion of th	is report					
Name and mailing address of the IPEA/EP					Authorized officer					
Facsimile No.					Telephone No.					

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/FR2004/050277

Box	No. I	Basis of the report		
1.		regard to the language, this r	report is based on the international application in the language in w	hich it was filed, unless otherwise
		which is the language of a tra	lations from the original language into the following language anslation furnished for the purposes of:	· · · · · · · · · · · · · · · · · · ·
		international search (R	national application (Rule 12.4)	
			rnanonar application (Rule 12.4) ary examination (Rule 55.2 and/or 55.3)	
2.	recei	regard to the elements of the ving Office in response to an eport): the international application	e international application, this report is based on (replacement sha invitation under Article 14 are referred to in this report as "ori	
	الاسكا	the description:		
		-	received by this Authority on	
		pages*	received by this Authority on	
	\boxtimes	the claims:		
				1.1.11.61.4614.4
				as originally filed/furnished
			as amended (together received by this Authority on	19.04.2005 with letter
		-		01 13.04.2003
	\square		received by this Authority on	
		the drawings:		
		sheets 1/4-4/4		as originally filed/furnished
		sheets*	received by this Authority on	
	_	sheets*	received by this Authority on	
		a sequence listing and/or any	y related table(s) - see Supplemental Box Relating to Sequence Li	sting.
3.		The amendments have result	ited in the cancellation of:	
		the description, pages		
		the claims, nos.		
		the drawings, sheets/fi	īgs	
			specify):	
			sequence listing (specify):	
4.		This report has been establi	ished as if (some of) the amendments annexed to this report and to go beyond the disclosure as filed, as indicated in the Supplement	
			s	
			G	
			figs	
			specify):	
		any table(s) related to	s sequence listing (specify):	
*	If it	m 4 applies, some or all of th	nose sheets may be marked "superseded."	

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement					
1.	Statement				
	Novelty (N)	Claims _	2-4	_ YES	
		Claims _	1, 6	_ NO	
	Inventive step (IS)	Claims		YES	
		-	1-6	_ NO	
	Industrial applicab		1-6	YES	
		Claims		_ NO	
2.	Citations and explana	ions (Rule 70.7)	· · · · · · · · · · · · · · · · · · ·		
_	•		the following documents:		
	Kererence	13 made co	the following documents.		
	D1:	US-A-4 584	885 (CADWELL ROBERT M) 29 April		
		1986 (1986-	~		
	D2:	PATENT ABST	TRACTS OF JAPAN vol. 2002, no. 06, 4		
		June 2002 ((2002-06-04) & JP 2002 048813 A		
		(DENSO CORE	o), 15 February 2002 (2002-02-15);		
	D3:		049 A (HITACHI LTD; HITACHI		
		AUTOMOTIVE	ENG (JP)) 7 December 1995		
		(1995-12-07	7);		
	D4:	EP-A-O 883	240 (YOZAN INC) 9 December 1998		
		(1998-12-09	9);		
	D5:	US 2003/05	7967 Al (LIEN WEE LIANG) 27 March		
		2003 (2003-	-03-27);		
	D6:	US-A-4 754	226 (KUO JAMEBOND ET AL) 28 June		
		1988 (1988-	-06-28);		
	D7:	US-A-5 258	664 (WHITE BERT) 2 November 1993		
		(1993-11-02	2);		
	D8:	LARRY K. B	AXTER: "Capacitive sensors" 1997,		
		IEEE PRESS,	NEW YORK, XP002264874.		
l					

The amendments submitted with the letter of 19 April 2005

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

cause the subject matter of the application to be extended beyond the content of the application as originally filed. As a result, said amendments are contrary to the provisions of PCT Article 34(2)(b). The amendment in question is the following:

The omission of the feature "of which" broadens the scope of protection because it is now no longer only one plate on each capacitor that must be mobile but a plate on any one of a plurality of capacitors.

1. Independent claims

The present application does not fulfil the requirements set forth in PCT Article 33(1) because the subject matter of claims 1 and 6 does not comply with the requirement of novelty defined in PCT Article 33(2).

1.2 Claim 1

Document D2 describes (the references between parentheses apply to said document) a capacitive sensor including a measuring capacitor having a first plate (2) and a second mobile plate (1) movable relative to an optimal starting position when a measurement voltage is exerted between said two plates during a measurement step. Said sensor further includes means for exerting, simultaneously with said measurement voltage, an actuation voltage capable of returning said two

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plates to said optimal starting position (see the abstract).

1.2 Claim 6

The same argument applies *mutatis mutandis* to the subject matter of corresponding independent claim 6, which is consequently not novel either.

2. Dependent claims

Dependent claims 2 to 5 do not contain any features which, in combination with the features of any one of the claims to which they refer, might define subject matter that fulfils the PCT requirements of novelty or inventive step.

The use of a switched capacitor circuit to evaluate signals from a capacitive sensor, as described in the claims, is well known to a person skilled in the art (see documents D3 to D7 and the corresponding passages cited in the search report). Claims 2 to 5 contain only slight structural modifications to these known circuits. Said modifications are routine practice to a person skilled in the art and the resulting advantages are easily foreseeable. As a result, the subject matter of said claims likewise does not involve an inventive step.